

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1 Page 288, between lines 22 and 23, begin a new paragraph and
2 insert:
3 "SECTION 260. IC 6-7-2-2.1 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2009]: **Sec. 2.1. (a) As used in this chapter,**
6 **"moist snuff" means any finely cut, ground, or powdered tobacco**
7 **that is not made to be:**
8 **(1) smoked; or**
9 **(2) placed in the nasal cavity.**
10 SECTION 261. IC 6-7-2-5 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. As used in this
12 chapter, "tobacco product" means:
13 (1) any product made from tobacco, other than a cigarette (as
14 defined in IC 6-7-1-2), that is made for smoking, chewing, or
15 both; or
16 (2) snuff, **including moist snuff.**
17 SECTION 262. IC 6-7-2-7, AS AMENDED BY P.L.234-2007,
18 SECTION 201, IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2009]: Sec. 7. A tax is imposed on the
20 distribution of tobacco products in Indiana at the ~~rate of~~ **following**
21 **rates:**
22 **(1) For tobacco products other than moist snuff,** twenty-four
23 percent (24%) of the wholesale price of the tobacco products.
24 **(2) For moist snuff, eighty-five cents (\$0.85) per ounce or**

1 **fraction thereof.**

2 The distributor of the tobacco products is liable for the tax. The tax is
3 imposed at the time the distributor:

- 4 (1) brings or causes tobacco products to be brought into Indiana
5 for distribution;
6 (2) manufactures tobacco products in Indiana for distribution; or
7 (3) transports tobacco products to retail dealers in Indiana for
8 resale by those retail dealers.

9 SECTION 263. IC 6-7-2-12 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. ~~(a)~~ Before the
11 fifteenth day of each month, each distributor liable for the tax imposed
12 by this chapter shall:

13 (1) file a return with the department that includes all information
14 required by the department including, but not limited to:

- 15 (A) name of distributor;
16 (B) address of distributor;
17 (C) license number of distributor;
18 (D) invoice date;
19 (E) invoice number;
20 (F) name and address of person from whom tobacco products
21 were purchased or name and address of person to whom
22 tobacco products were sold; ~~and~~
23 (G) wholesale price, **in the case of tobacco products other**
24 **than moist snuff; and**
25 **(H) product weight, in the case of moist snuff; and**

26 (2) pay the tax for which it is liable under this chapter for the
27 preceding month minus the amount specified in section 13 of this
28 chapter.

29 Renumber all SECTIONS consecutively.

(Reference is to HB 1001(ss) as printed June 15, 2009.)

Representative Porter